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PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



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Applicant's or agent's file reference CA020005	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/GB 03/01342	International filing date (day/month/year) 20.03.2003	Priority date (day/month/year) 27.03.2002
International Patent Classification (IPC) or both national classification and IPC G06F17/30		
Applicant INTERNATIONAL BUSINESS MACHINES CORPORATION		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- ☒ This report is also accompanied by ANNEXES, i.e. amendments to the description, claims and/or drawings which have been amended and are the basis for this report, and sheets concerning rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of 2 sheets.

3. This report contains indications relating to the following items:
- I ☒ Basis of the opinion
  - II ☐ Priority
  - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - IV ☐ Lack of unity of invention
  - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI ☐ Certain documents cited
  - VII ☐ Certain defects in the international application
  - VIII ☐ Certain observations on the international application

Date of submission of the demand 11.04.2003	Date of completion of this report 03.05.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Beatty, J Telephone No. +49 89 2399-7562 

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. **PCT/GB 03/01342**

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, Pages**

1-47 as originally filed

**Claims, Numbers**

1-12 received on 08.03.2004 with letter of 08.03.2004

**Drawings, Sheets**

1/15-15/15 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were ~~not~~ furnished to this Authority in the following language: , which is:

- ☐ the language of the international application furnished for the purposes of the international search (under Rule 23.1(b)).
  - ☐ the language of publication of the international application (under Rule 48.3(b)).
  - ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
  - ☐ filed together with the international application in computer readable form.
  - ☐ furnished subsequently to this Authority in written form.
  - ☐ furnished subsequently to this Authority in computer readable form.
  - ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
  - ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Yes: Claims	2-10,12
	No: Claims	1,11
Inventive step (IS)	Yes: Claims	
	No: Claims	1-12
Industrial applicability (IA)	Yes: Claims	1-12
	No: Claims	

**2. Citations and explanations**

**on separate sheet**

## **1. Documents**

Reference is made to the following document:

D1: XP10354381

## **2. Summary**

The wording of the claims is such that the scope of protection sought is very broad. The subject-matter of the claims encompasses, for example, any method of establishing a hierarchically structured store web-site for use on the Internet wherein an entry port of a base store site module is linked to an entry port of a child module such that the child module and the base store site can communicate between each other.

## **3. Article 33(2) PCT**

### **3.1 Independent Claim 1**

The document D1 discloses (the references in parentheses applying to this document):

method of establishing in a data processing system capable of being linked to the Internet a hierarchically structured store web site for use on the Internet (page 316, "1. Introduction" section, paragraph 3; figure 1) comprising:  
establishing in the data processing system: a base store site module (figure 1) having at least one entry port for communication with the Internet (implicit for a web site);  
at least one child module of the base store site module having an entry port (figure 1, page 319, paragraph 1);  
the entry port of the base store site module being linked to the entry port of the child module for passing control from the base store site to the child module (figure 1, page 319, paragraph 1).

The subject-matter of claim 1 is therefore not new (Article 33(2) PCT).

### **3.2 Independent Claim 11**

While the scope of protection sought by independent apparatus claim 11 may differ

from that of independent method claim 1, the subject-matter of the two claims differs only in the category of claim (method versus apparatus) wherein the method steps of claim 1 are replaced by means steps in claim 11. As the skilled person would always contemplate implementing the method of claim 1 in an apparatus (i.e. a computer system), the reasoning of claim 1 applies also to claim 11. Therefore independent claim 11 is not novel (Article 33(2) PCT).

#### **4. Article 33(3) PCT: Inventive Step**

##### **4.1 Dependent claims 2-10**

Dependent claims 2-10 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, the reasons being as follows:

The particular use of the at least one child module as claimed in dependent claim 9 offers no technical problem for the skilled person to solve. Therefore the claim lacks inventive step (Article 33(3) PCT).

Combinations of interface connections between the base site module and the at least one child module represent no more than an obvious selection of possible combinations of connections that the skilled person would apply according to circumstances to solve respective technical problems (see D1, page 319, paragraph 1). The skilled person would thus arrive at the subject-matter of the claims 2-9 without making an inventive step (Article 33(3) PCT).

##### **4.2 Independent Claim 12**

The computer program product of claim 12 for performing the steps of any one of claim 1 to claim 10 does not meet the requirements of novelty and/or inventive step as the subject-matter of claims 1-10 is either not new and/or not inventive. A memory of a digital computer that is either not novel and/or not inventive in combination a method that is either not new and/or not inventive, stored as software code portions is not inventive when said method is run on a computer. Therefore, Independent claim 12 lacks inventive step (Article 33(3) PCT).

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CLAIMS

1. A method of establishing in a data processing system capable of being linked to the internet a hierarchically structured store web site for use on the internet comprising:  
establishing in the data processing system: a base store site module having at least one entry port for communication with the internet;  
at least one child module of the base store site module having an entry port; and  
the entry port of the base store site module being linked to the entry port of the child module for communication between the base store site and the child module.
2. A method as claimed in claim 1 wherein the at least one child module has an entry port and an exit port.
3. A method as claimed in claim 1 wherein the at least one child module has at least one entry port and at least one exit port; and the base module has at least one entry port; at least one of the entry ports of the child is linked to at least one entry port of the base module.
- A method as claimed in claim 1 wherein the at least one child module has at least one entry port and at least one exit port; the base module has at least one entry port and at least one exit port; and at least one of the entry ports of the child is linked to at least one entry port of the base module.
5. A method as claimed in claim 3 wherein at least one of the entry ports, and at least one of the exit ports of the at least one child module are linked, respectively, to at least one of the base module's entry ports, and at least one of the base module's exit ports.
6. A method as claimed in claim 1 wherein the base module has a plurality of entry ports, and at least some of the plurality of entry ports of the base module are linked to the entry port of the at least one child module.
7. A method as claimed in claim 3 wherein the at least one of child module has a plurality of exit ports, and at least some of the plurality of exit ports of the child module are linked to one exit of the base module.

8. A method as claimed in claim 1 wherein at least one of the exit ports of the at least one child module is linked to at least one of the entry ports of another child module.

9. A method as claimed in claim 1 wherein the base store site module has at least one entry port for communication with the internet; the at least one child module being selected from the set comprising:

- a store front (page) module,
- a shopping (area) module,
- a customer service (area) module,
- an information (area) module, or
- an auction (area) module.

10. A method as claimed in claim 9 wherein the base store site module has at least one entry port for communication with the internet and at least one exit port;

the at least one exit port of the base store site module being available for linking with an exit port of a child module.

11. A system for a hierarchically structured store web site for access via the internet comprising:

means for a base store site module having at least one entry port for communication with the internet; and,

means for at least one child module of the base store site module having means for an entry port;

means for the entry port of the base store site module being linked to the entry port of the child module for communication between the base store site and the child module.

12. A computer program product directly loadable into the internal memory of a digital computer, comprising software code portions for performing the steps of any one of claim 1 to claim 10 when said product is run on a computer.